

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Bernard E. Brady Jr., et al.
Application S/N : 10/727,193 Examiner: John Moore Jain Macilwinne
Filing Date : December 3, 2003 Group Art Unit: 2442
Title : NETWORK EVENT CAPTURE AND RETENTION SYSTEM
Confirmation No. : 4674

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on the date noted below:

Dated: January 5, 2010


Valerie M. Terriberry

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b). **Copies of the references listed on Form PTO/SB/08A and PTO/SB/08B were previously cited by or submitted to the office in prior U.S. Patent Application Serial Number 11/441,752, filed May 26, 2006, U.S. Patent Application Serial Number 11/441,927, filed May 26, 2006, U.S. Patent Application Serial Number 11/443,325, filed May 30, 2006, U.S. Patent Application Serial Number 11/441,926, filed May 26, 2006, U.S. Patent Application Serial Number 11/441,998, filed May 26, 2006, U.S. Patent Application Serial Number 11/442,569, filed May 26, 2006, and relied upon for**

an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications) are not enclosed.

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any document referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined under 37 CFR 1.56(a) exists.

() In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required. The Commissioner is authorized to charge any fees required to Deposit Account No. 11-0404.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

() Certification in accordance with §1.97(e) is set forth below.

() The Commissioner is authorized to charge the fee of **\$180.00** as set forth in §1.17(p) to Deposit Account No. 11-0404.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$ _____ as set forth in §1.17(p).

(X) In accordance with 37 CFR §1.97(c), the information included in this Information Disclosure Statement was not known to the applicant more than three (3) months before submission of this Information Disclosure Statement. No fee is due with this communication.

Please charge any necessary fees to Deposit Account No. 11-0404.

There are no listed references which are not in the English language or do not contain an English language abstract.

Date: January 5, 2010

Respectfully submitted,

KELLEY DRYE & WARREN LLP
Attorneys and Agents for Applicants



Anatoly Frenkel
Reg. No. 54106
Intellectual Property Group
400 Atlantic Street
13th Floor
Stamford, CT 06901

Customer No. 47670

Direct Tel.: 203-351-8078
Facsimile: 203-327-2669
e-mail: afrenkel@kelleydrye.com

Enclosures